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2014617



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

February 28, 2003

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Ronald R. Gastelum
Chief Executive Officer
Metropolitan Water District of Southern California
B.O. Box 54153
Los Angeles, CA 90054-0153

Dear Mr. Gastelum:

Thank you for your letter of January 9, 2003 urging the Environmental Protection Agency (EPA) to help accelerate additional clean up efforts to eliminate perchlorate from entering the Colorado River. I appreciate the support you expressed for the attention and response we have already given to address perchlorate contamination, and I am committed to assuring that clean up actions are timely and complete.

The goal of current clean up efforts in Henderson, Nevada is to cut off sources of contamination to Las Vegas Wash and Lake Mead. Kerr McGee Chemical Corporation (KMCC) has installed controls at 3 different locations, including barrier wells at Athens Road to capture the groundwater plume, and containment wells adjacent to Las Vegas Wash to intercept the leading edge of the perchlorate plume before it enters Las Vegas Wash. Because of these control efforts, we anticipate that there will be significant further reductions in perchlorate releases to Las Vegas Wash in 2003.

In a January 14, 2003 meeting with Nevada Department of Environmental Protection (NDEP), Senator Feinstein's staff, Senator Reid's staff and Metropolitan Water District (MWD) staff, Kerr McGee officials agreed to install 3-6 new extraction wells adjacent to Las Vegas Wash. These wells will provide more complete capture of the groundwater plume and treat up to 250 gallons per minute of additional contaminated groundwater using ion exchange units. KMCC will need a variance to its existing NPDES discharge permit in order to discharge this additional volume of treated water and the total dissolved solids it contains.

On January 27th, Jeff Scott, EPA Region 9 Waste Management Division Director and his staff, met with NDEP officials to discuss a variety of issues regarding the perchlorate remediation in Henderson, Nevada. At this meeting, NDEP assured us that any required permitting actions needed to allow additional groundwater extraction and treatment would be expedited. In addition, NDEP will use grant funds provided by EPA to investigate the need for remediation of the wash gravels and the possibility that there are other perchlorate contamination sources. These investigations will either reaffirm that Kerr McGee clean up activities will

eliminate perchlorate releases to Las Vegas Wash, or identify additional control opportunities.

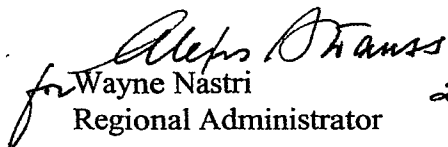
On January 28th, Jeff Scott and his staff, and NDEP met with Kerr McGee managers to assess the effectiveness of clean up activities to date, and explore opportunities for additional capture and treatment of perchlorate contamination. We agreed upon the concept that a set of existing groundwater and surface water monitoring stations should be used as indicators of the success of current and planned groundwater extraction and treatment actions. During this meeting neither Kerr McGee nor NDEP believed that the issue of "return flow credits" would in any way impair the ability of Kerr McGee to extract and treat groundwater.

As a result of these meetings, EPA believes it would be of mutual benefit to all regulatory and water supply agencies to have a standard set of 10-15 ground water and surface water monitoring locations to measure and evaluate the response of the surface water system to the reduction of perchlorate releases to Las Vegas Wash. These monitoring locations would span the Kerr McGee property, Las Vegas Wash, Lake Mead and the lower Colorado River where MWD withdraws its water. EPA has tentatively identified a set of monitoring locations where existing monthly samples are already being taken that could be used as indicators of the improving water quality over time, or as early warning indicators that remediation efforts are not achieving their expected results. My staff have already contacted MWD staff to discuss this approach and gain MWD participation. We will be in further contact with your staff and the other affected parties when we have a more detailed proposal for consideration.

You also asked that EPA "Earmark federal funding for perchlorate remediation of contaminated sites that affect the quality of southern California's groundwater supplies." As you may not know, EPA cannot be involved with legislative decisions to earmark appropriations for particular projects. We are, however, aware of at least two instances in which Congress directed funds to address specific issues regarding perchlorate. One provided funds for treatment technology research and another approved funding for the Army Corps of Engineers for technical assistance at three perchlorate contamination sites in California and Texas. Importantly, EPA did not participate in the decisions to direct these funds.

If you have any questions, or need additional information, please call Jeff Scott, Director of the Waste Management Division at (415) 972-3311.

Sincerely,


for Wayne Nastri
Regional Administrator

27 February 2003

cc: Honorable Dianne Feinstein
Mr. Allen Biaggi, NDEP



MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

January 9, 2003

Mr. Wayne Nastri
Region IX Administrator
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105-3901

Dear Administrator Nastri:

Perchlorate Contamination of the Colorado River

On behalf of the Metropolitan Water District of Southern California and the nearly 17 million drinking water consumers in our service area, I want to thank you for the U.S. Environmental Protection Agency's attention and response to perchlorate contamination in the Colorado River. As you know, the discovery of this pollutant in our primary surface water supply poses serious resource and public health issues for our customers. As California proceeds toward regulation of perchlorate in drinking water, Metropolitan and other drinking water providers must move quickly to provide the most comprehensive protection possible for this vital source of supply.

Current clean-up efforts in Henderson, Nevada to cut off the contamination source addresses one major pathway of perchlorate entering into Lake Mead. We recognize the efforts of both USEPA, the Nevada Department of Environment Protection, and Kerr-McGee given the engineering and administrative complexity of this operation. However, data suggest to us that the mass of perchlorate entering into the Colorado River through Lake Mead is still unacceptable to downstream users.

The State of California Office of Health Hazard Assessment proposed a draft public health goal range of 2 – 6 parts per billion. This range sets the stage for an enforceable standard that will likely trigger massive clean-up projects with costs estimated in the billions of dollars. The unprecedented media attention surrounding this issue generates significant public concern over the safety of public water supplies. In light of these costs and the potential human health effects of perchlorate, we request that the USEPA immediately initiate the following actions:

- Install additional extraction wells and proven perchlorate remediation technologies (such as ion exchange or biological treatment) along the Las Vegas Wash to remove perchlorate from the wash gravels area.
- Increase the feasibility of certain remediation activities at Henderson, Nevada by ensuring there is no loss of "return flow credits." Ensuring that these credits are not lost would increase the feasibility of some remediation projects that otherwise would not be undertaken (e.g., evaporation ponds).

Mr. Wayne Nastri

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- Earmark federal funding for perchlorate remediation of contaminated sites that affect the quality of southern California's groundwater supplies.

An accelerated clean-up effort at the Las Vegas Wash area will result in the most meaningful risk reduction to drinking water users of Colorado River water. With a drinking water standard mandated in California by December 31, 2003, the drinking water community is under tremendous pressure in the face of what is certainly to be more stringent enforcement of this contaminant. We feel strongly that the extra remediation cost is justified given the current knowledge of potential health effects of perchlorate.

Downstream water users in Nevada, Arizona, California and Mexico need your leadership to accelerate and expand the clean-up of perchlorate in the Colorado River in order to help restore public confidence in our drinking and agricultural water supplies. I would appreciate an opportunity to meet with you to discuss this urgent matter as soon as possible.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Ronald R. Gastelum', with a long horizontal line extending to the right.

Ronald R. Gastelum
Chief Executive Officer